



41

PATENT

21214

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Risto Miikkulainen, et al.

Title: SYSTEMS AND METHODS FOR ADAPTIVE MEDICAL DECISION SUPPORT

Application No.: 09/690,354 Filed: October 17, 2000

Examiner: Joseph P. Hirl Group Art Unit: 2121

Atty. Docket No.: 1039-0020

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COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

AUG 18 2004

Technology Center 2100

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, the undersigned brings the patents, publications, applications or other information identified in the attached:

- Form(s) PTO/SB/08A and/or PTO/SB/08B or PTO/1449  
 Other: n/a

to the Examiner's attention in the above-identified application. Citation of such information shall not be construed as:

1. an admission that the information necessarily is, or corresponds to, prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described below; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

For each item of information listed that is not in the English language, the undersigned has provided a concise explanation of the relevance, such as through (i) an English language abstract, (ii) an English language equivalent application, (iii) reference to discussion in the application, or (iv) if cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action that

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Elise K. Dougherty  
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08/17/2004 LUNDIM1 00000021 502469 09690354  
01 FC:1806 180.00 DA

indicates the degree of relevance found by the foreign office.

STATEMENT UNDER 37 C.F.R. § 1.704(d)

If the above-identified application is an original application filed on or after May 29, 2000:

- each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

FEES DUE

This Information Disclosure Statement is being filed:

- within three months of the filing date of a national application or within three months of entry of the national stage as set forth in § 1.491 in an international application. Therefore, no fee is required.
- before the mailing date of a first Office action on the merits or before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Therefore, no fee is believed required.
- during the period specified in § 1.97(c). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement.
- during the period specified in § 1.97(c). Accordingly, the fee set forth in § 1.17(p) is required and provided as shown on the attached Fee Transmittal.
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Should any PTO fees be necessary for entry of this Information Disclosure Statement, the undersigned hereby authorizes the Commissioner to charge Deposit Account 50-2469.

Date

08.05.04

Respectfully submitted,

  
John R. Schell, Reg. No. 50,776  
Attorney for Applicant(s)  
TOLER, LARSON & ABEL, L.L.P.  
5000 Plaza On The Lake, Suite 265  
Austin, Texas 78746  
(512) 327-5515 (phone)  
(512) 327-5452 (fax)

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

**Complete if Known**

Application Number	09/690,354	RECEIVED
Filing Date	October 17, 2000	AUG 18 2004
First Named Inventor	Risto Miikkulainen	Technology Center 2100
Examiner Name	Joseph P. Hirl	
Art Unit	2121	
Attorney Docket No.	1039-0020	

**METHOD OF PAYMENT (check all that apply)**
 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	50-2469
Deposit Account Name	TOLER LARSON & ABEL LLP

The Director is authorized to: (check all that apply)

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- Charge fee(s) indicated below
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**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
<b>SUBTOTAL (1)</b>		<b>(\$ 0.00)</b>			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=
				0	0

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$ 0.00)</b>

\*\*or number previously paid, if greater; For Reissues, see above

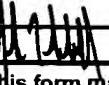
**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** **(\$ 180.00)****SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	John R. Schell	Registration No. (Attorney/Agent)	50,776	Telephone	512-327-5515
Signature				Date	08-05-04

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

10

Application Number

09/690,354

Filing Date

October 17, 2000

First Named Inventor

Risto Miikkulainen

Art Unit

2121

Examiner Name

Joseph P. Hirl

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AUG 18 2004

Technology Center 2100

Attorney Docket Number

1039-0020

**ENCLOSURES (Check all that apply)**

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|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     |
| <input type="checkbox"/> Fee Attached  |
| <input type="checkbox"/> Amendment/Reply                                     |
| <input type="checkbox"/> After Final   |
| <input type="checkbox"/> Affidavits/declaration(s)                           |
| <input type="checkbox"/> Extension of Time Request                           |
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| <input type="checkbox"/> Certified Copy of Priority Document(s)              |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |

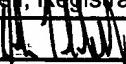
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| <input type="checkbox"/> Drawing(s)                                       |
| <input type="checkbox"/> Licensing-related Papers                         |
| <input type="checkbox"/> Petition   |
| <input type="checkbox"/> Petition to Convert to a Provisional Application |
| <input type="checkbox"/> Power of Attorney, Revocation                    |
| <input type="checkbox"/> Change of Correspondence Address                 |
| <input type="checkbox"/> Terminal Disclaimer                              |
| <input type="checkbox"/> Request for Refund                               |
| <input type="checkbox"/> CD, Number of CD(s) _____                        |

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| <input type="checkbox"/> After Allowance communication to Technology Center (TC)  |
| <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)   |
| <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Status Letter  |
| <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>IDS Transmittal; Form PTO-1449 (4 pgs); Cited References (61); Return Receipt Postcard |

## Remarks

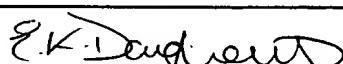
Customer No.: 34456

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	John R. Schell, Registration No.: 50,776
Signature	
Date	8-5-04

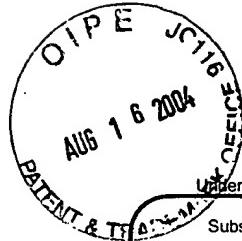
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Typed or printed name	Elise K. Dougherty	
Signature		Date
		8-6-04

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1 of 4

**Complete if Known**

Application Number	09/690,354
Filing Date	October 17, 2000
First Named Inventor	Risto Miikkulainen
Art Unit	2121
Examiner Name	Joseph P. Hirl
Attorney Docket Number	1039-0020

U. S. PATENT DOCUMENTS
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Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
A	US- 4,839,822 A		06-13-1989	Dormond et al.	
B	US- 4,916,611		04-10-1990	Doyle, Jr. et al.	
C	US- 5,018,067		05-21-1991	Mohlenbrock et al.	
D	US- 5,065,315		11-12-1991	Garcia	
E	US- 5,070,452		12-03-1991	Doyle, Jr. et al.	
F	US- 5,072,383		12-10-1991	Brimm et al.	
G	US- 5,077,666		12-31-1991	Brimm et al.	
H	US- 5,101,476		03-31-1992	Kukla	
I	US- 5,301,105		04-05-1994	Cummings, Jr.	
J	US- 5,319,543		06-07-1994	Wilhelm	
K	US- 5,347,453		09-13-1994	Maestre	
L	US- 5,347,477		09-13-1994	Lee	
M	US- 5,361,202		11-01-1994	Doue	
N	US- 5,366,896		11-22-1994	Margrey et al.	
O	US- 5,390,238		02-14-1995	Kirk et al.	
P	US- 5,528,021		06-18-1996	Lassus et al.	
Q	US- 5,594,638		01-14-1997	Iliff	
R	US- 5,660,176		08-26-1997	Iliff	
S	US- 5,722,418		03-03-1998	Bro	

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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
TT	WO 2001/133378 A		05-10-2001	Levy		
UU	WO 2001/35376 A1		05-17-2001	Lipscher et al.		
VV						
WW						
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Examiner Signature	Date Considered
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet

12 of 14

**Complete if Known**

Application Number	09/690,354
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First Named Inventor	Risto Miikkulainen
Art Unit	2121
Examiner Name	Joseph P. Hirl

Attorney Docket Number 1039-0020

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		Number-Kind Code <sup>2</sup> (if known)			
AA	US-	5,737,539	04-07-1998	Edelson et al.	
BB	US-	5,748,907	05-05-1998	Crane	
CC	US-	5,769,074	06-23-1998	Barnhill et al.	
DD	US-	5,772,585	06-30-1998	Lavin et al.	
EE	US-	5,778,882	07-14-1998	Raymond et al.	
FF	US-	5,845,255	12-01-1998	Mayaud	
GG	US-	5,868,669	02-09-1999	Iliff	
HH	US-	5,879,163	03-09-1999	Brown et al.	
II	US-	5,883,370	03-16-1999	Walker et al.	
JJ	US-	5,924,074 A	07-13-1999	Evans	
KK	US-	5,946,646	08-31-1999	Schena et al.	
LL	US-	5,951,300	09-14-1999	Brown	
MM	US-	5,954,641	09-21-1999	Kehr et al.	
NN	US-	6,018,713	01-25-2000	Coli et al.	
OO	US-	6,021,202	02-01-2000	Anderson et al.	
PP	US-	6,024,699 A	02-15-2000	Surwit et al.	
QQ	US-	6,026,363 A	02-15-2000	Shepard	
RR	US-	6,047,259 A	04-04-2000	Campbell et al.	
SS	US-	6,055,333 A	04-25-2000	Guzik et al.	

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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
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UU					
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Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
A3	US-	6,073,097 A	06-06-2000	Gould et al.	
B3	US-	6,073,375	06-13-2000	Fant et al.	
C3	US-	6,085,752	07-11-2000	Kehr et al.	
D3	US-	6,090,044	07-18-2000	Bishop et al.	
E3	US-	6,108,635	08-22-2000	Herren et al.	
F3	US-	6,113,540	08-05-2000	Illiiff	
G3	US-	6,132,218 A	10-17-2000	Benja-Athon	
H3	US-	6,209,095 B1	03-27-2001	Anderson et al.	
I3	US-	6,248,063 B1	06-19-2001	Barnhill et al.	
J3	US-	6,298,348 B1	10-02-2001	Eldering	AUG 18 2004
K3	US-	6,317,789	11-13-2001	Rakavy et al.	
L3	US-	6,385,592	05-07-2002	Angles et al.	
M3	US-	6,609,200 B2	08-19-2003	Anderson et al.	
N3	US-	6,678,669 B2	01-13-2004	Lapointe et al.	
O3	US-	2001/0023419 A1	09-20-2001	Lapointe et al.	
P3	US-	2001/0032099 A1	10-18-2001	Joao	
Q3	US-	2002/0049612 A1	04-25-2002	Jaeger et al.	
R3	US-	4,858,121	08-15-1989	Barber et al.	
S3	US-	5,992,890	11-30-1999	Simcox	

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VV						
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YY						

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Complete if Known	
Application Number	09/690,354
Filing Date	October 17, 2000
First Named Inventor	Risto Miikkulainen
Art Unit	2121
Examiner Name	Joseph P. Hirl
Attorney Docket Number	1039-0020

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A3	GORZALCZANY, M. B.; GRADZKI, P., Computational intelligence in medical decision support a comparison of two neuro-fuzzy systems, Industrial Electronics, 1999. ISIE '99. Proceedings of the IEEE International Symposium on, Volume:1, 1999, Page(s): 408-413, vol. 1.	
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